

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----  
SHAWN WOODWARD,

Plaintiff,

-v-

9:18-CV-83  
(DNH/DJS)

J. GORI, Correctional Officer, formerly known as  
John Doe #1; GELETA, Correctional Sergeant,  
formerly known as John Doe #2; and K. CITUK,  
Correctional Officer, formerly known as John  
Doe #3,

Defendants.  
-----

APPEARANCES:

SHAWN WOODWARD  
Plaintiff pro se  
SBI # 977468B  
South Woods State Prison  
INM# 280741  
215 Burlington Road South  
Bridgeton, NJ05302

HON. LETITIA JAMES  
Attorney General for the State of New York  
Attorney for Defendants  
The Capitol  
Albany, NY 12224

RYAN L. ABEL, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Shawn Woodward brought this civil rights action pursuant to 42

U.S.C. § 1983. On March 31, 2020, the Honorable Daniel J. Stewart, United States

Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment based on failure to exhaust be denied without prejudice as premature. No objections to the Report- Recommendation were filed.

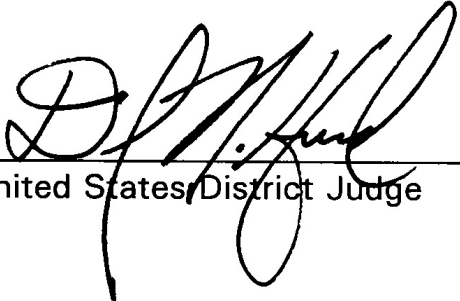
Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Defendants' motion for summary judgment based on failure to exhaust is DENIED without prejudice as premature.

IT IS SO ORDERED.



United States District Judge

Dated: April 24, 2020  
Utica, New York.